



MEMORANDUM

To: Mayor and Members of the City Council

From: Montre' Freeman, City Manager
Reggie Goodson, Community Development Director

Date: October 20, 2023

Subj: Call for a Public Hearing – Rezoning – RZ 01-23

BACKGROUND:

During the October 3, 2023 Elizabeth City Planning Commission meeting, members heard case RZ 01-23, filed by Homelink Properties for the parcel located between Culpepper, Spellman and Grice Streets. The parcel is further identified as #891307689315. The application seeks to rezone the parcel from Office and Industrial (O&I) to General Business (GB).

ANALYSIS:

When crafting the staff analysis, staff reviewed the Elizabeth City Pasquotank County Joint Land Use plan for compatibility with the future land use map and guiding policies. Staff also takes into consideration the impact the rezoning may have on the neighborhood, adjacent property owners, environment and city infrastructure. Staff research included visiting the aforementioned site, taking photos and researching adjacent land use and zoning.

This rezoning is generally compatible with the Elizabeth City Pasquotank County Joint Land Use Plan (LUP). The LUP indicates General Business zoning as being generally consistent with general commercial usage. This block, predominately zoned R-8 is designated on the Future Land Use Map as general commercial.

The LUP gives minimum lot sizes of 15,000 to 43,000 square feet for general commercial designations, with lot coverage limited to 50%. This parcel is 12,632 square feet in size, which does not meet the LUP's general minimum lot size for general commercial designations.

While the LUP depicts the general location of projected patterns of future land uses, the LUP states that the ultimate use and development of a particular parcel of land will be determined by the property owner's desires, overall market conditions, implementation tools employed by the City to regulate land use and development, and the availability of necessary infrastructure (water, sewer,

roads, etc.) to support development. Ultimately, there are many relevant factors in addition to the Future Land Map (FLUM) that came into play to determine if a projected use is appropriate.

This parcel is bordered by General Business (GB) zoning to the south and east, and Residential (R-8) zoning to the west and north. Rezoning the aforementioned parcel from O&I to GB would extend the general business corridor along Ehringhaus Street to the north, into residential neighborhoods and would eliminate the existing O&I buffer between commercial and residential uses.

The applicant's intended future use of the parcel includes a 30' x 60' warehouse building for storage of construction equipment and building materials.

PLANNING COMMISSION:

As part of the application packet, letters went out to property owners in a 100-foot radius notifying them of the application and Planning Commission hearing date. The hearing notice was also advertised on Channel 11 and through The Daily Advance. Signs were posted on the subject property. During the October 3rd meeting, one individual who owns property in the neighborhood was present and voiced concern about the proposed rezoning as it may cause disruption in the form of noise and possibly increased traffic.

After discussion, the Elizabeth City Planning Commission by a 2-1 vote rules in favor of the applicant's request.

STAFF RECOMMENDATION:

Staff believes that the proposed rezoning request is inappropriate for this area as it is predominately zoned R-8; therefore, it is staff's recommendation that the rezoning be denied. However, the Council must call for and hold a public hearing on the rezoning request. If the Council wishes to move this item to the Regular Session to call for the hearing this evening, declare that the hearing shall be held on Monday, November 13th during the 7:00 p.m. Regular Session. If it is the desire of the Council to wait until the November 13th meeting to call for the hearing, it will be held on November 27th.